

A RESOLUTION BY

11-R-0087

COUNCILMEMBER MICHAEL JULIAN BOND

AS SUBSTITUTED BY CITY UTILITIES COMMITTEE

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE AMENDMENT AGREEMENT NUMBER 5 WITH SD&C, INC., FOR FC-4943D, ANNUAL CONTRACT TO CONSTRUCT SIDEWALKS, DRIVEWAYS, CURBS AND GUTTERS, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, IN AN AMOUNT NOT TO EXCEED ONE MILLION FIVE HUNDRED TWENTY FIVE THOUSAND FIVE HUNDRED NINETY THREE DOLLARS AND NO CENTS (\$1,525,593.00) WITH ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM VARIOUS FUND, DEPARTMENT ORGANIZATION AND ACCOUNT NUMBERS; AND FOR OTHER PURPOSES.

WHEREAS, the City did solicit Bids for Contract No. FC- 4943D, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters (“Contractors”); and

WHEREAS, the Atlanta City Council adopted Resolution 09-R-1549 on September 21, 2009, and the Mayor approved the same on September 25, 2009 which authorized the Agreement for FC-4943D with SD&C; and

WHEREAS, the base term of the Contract will be for a period of Two (2) years, with Two (2) One (1) year renewal options to be exercised at the sole discretion of the City effective October 2, 2009 through October 1, 2011; and

WHEREAS, the Department of Public Works entered into Amendment Agreement Number 1 with SD&C, Inc, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters via Resolution 09-R-1926 adopted by the City Council on November 16, 2009 and approved by the Mayor on November 24, 2009 in an amount not to exceed Six Hundred Fifty Four Thousand One Hundred Seventy Three Dollars and Seventy Eight Cents **(\$654,173.78)**; and

WHEREAS, the Department of Public Works entered into Amendment Agreement Number 2 with SD&C, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters via Resolution 10-R-1269 adopted by the City Council on July 19, 2010 and approved by the Mayor on July 27, 2010 in an amount not to exceed Seven Hundred Sixty One Thousand Three Hundred Twenty Nine Dollars and Six Cents **(\$761,329.06)**; and

WHEREAS, the Department of Public Works entered into Amendment Agreement Number 3 for certain Redevelopment projects along Peachtree Street and certain surrounding areas with SD&C, Inc., Annual Contract to Construct

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Gene M. Shepherd
Michael Julian Bond
**A RESOLUTION BY
COUNCILMEMBER MICHAEL JULIAN BOND**

11-R-0087
H. L. Wiley

A RESOLUTION AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO EXECUTE AMENDMENT AGREEMENT NUMBER 5 WITH SD&C, INC., FOR FC-4943D, ANNUAL CONTRACT TO CONSTRUCT SIDEWALKS, DRIVEWAYS, CURBS AND GUTTERS, ON BEHALF OF THE DEPARTMENT OF PUBLIC WORKS, IN AN AMOUNT NOT TO EXCEED ONE MILLION ONE HUNDRED TWENTY FOUR THOUSAND NINE HUNDRED THIRTY SIX DOLLARS (\$1,124,936.00) WITH ALL CONTRACTED WORK TO BE CHARGED TO AND PAID FROM VARIOUS FUND, DEPARTMENT ORGANIZATION AND ACCOUNT NUMBERS; AND FOR OTHER PURPOSES.

WHEREAS, the City did solicit Bids for Contract No. FC- 4943D, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters ("Contractors"); and

WHEREAS, the Atlanta City Council adopted Resolution 09-R-1549 on September 21, 2009, and the Mayor approved the same on September 25, 2009 which authorized the Agreement for FC-4943D with SD&C; and

WHEREAS, the base term of the Contract will be for a period of Two (2) years, with Two (2) One (1) year renewal options to be exercised at the sole discretion of the City effective October 2, 2009 through October 1, 2011; and

WHEREAS, the Department of Public Works entered into Amendment Agreement Number 1 with SD&C, Inc., Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters via Resolution 09-R-1926 adopted by the City Council on November 16, 2009 and approved by the Mayor on November 24, 2009 in an amount not to exceed Six Hundred Fifty Four Thousand One Hundred Seventy Three Dollars and Seventy Eight Cents (**\$654,173.78**); and

WHEREAS, the Department of Public Works entered into Amendment Agreement Number 2 with SD&C, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters via Resolution 10-R-1269 adopted by the City Council on July 19, 2010 and approved by the Mayor on July 27, 2010 in an amount not to exceed Seven Hundred Sixty One Thousand Three Hundred Twenty Nine Dollars and Six Cents (**\$761,329.06**); and

WHEREAS, the Department of Public Works entered into Amendment Agreement Number 3 for certain Redevelopment projects along Peachtree Street and certain surrounding areas with SD&C, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters via Ordinance 10-O-1692 adopted by the City Council on October 18, 2010 and approved by the Mayor on October 27, 2010 in an amount not to exceed Two Hundred Thousand Dollars (**\$200,000.00**); and

WHEREAS, the Department of Public Works entered into Amendment Agreement Number 4 with SD&C, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters via Resolution 10-R-1826 adopted by the City Council on November 1, 2010 and approved by the Mayor on November 10, 2010 in an amount not to exceed Six Hundred Thirty Nine Thousand Two Hundred Forty Six Dollars and Forty Two Cents **(\$639,246.42)**; and

WHEREAS, the Department of Public Works desires to enter into Amendment Agreement Number 5 with SD&C, Inc., Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters in an amount not to exceed One Million One Hundred Twenty Four Thousand Nine Hundred Thirty Six Dollars **(\$1,124,936.00)**;and

WHEREAS, SD&C, Inc., has performed the contracted services satisfactorily; and

WHEREAS, the Commissioner of the Department of Public Works and the Chief Procurement Officer recommend this Amendment Agreement Number 5, Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY RESOLVES that the Mayor, or his designee, is authorized to execute Amendment Agreement Number 5, Contract No. FC-4943D; Annual Contract to Construct Sidewalks, Driveways, Curbs and Gutters with SD&C, Inc, on behalf of the Department of Public Works in an amount not to exceed One Million One Hundred Twenty Four Thousand Nine Hundred Thirty Six Dollars **(\$1,124,936.00)**.

BE IT FURTHER RESOLVED, that the Chief Procurement Officer is directed to assist the City Attorney in the preparation of the appropriate agreement for execution by the Mayor.

BE IT FURTHER RESOLVED, that the Agreement will not become binding upon the City, and the City will incur no liability under it until it has been approved by the City Attorney as to form, executed by the Mayor, attested to by the Municipal Clerk and delivered to SD&C, Inc.

BE IT FINALLY RESOLVED, that all contracted work will be charged to and paid from Fund, 2501 (Intergovernmental Grant Fund), 130308 (DPW Transportation Design) 130302 (DPW Traffic Engineering) 4270000 (Traffic Engineering) and Account numbers and PTAE0 Funding Source 13110871 1** 250111932 5414002 COA, 13110871 1** 250111932 5414002 COA.